

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nico Redding,

Civil No. 07-1576 (DWF/RLE)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Jan Hanlon, Officer Peine, Sgt. Starkson,
Lt. Krogh, Warden Stender, CPD J. Carter,
Nanette Larson, Warden Roehrich and Kim
Clifford,

Defendants.

Nico Redding, *Pro Se*, Plaintiff.

Margaret E. Jacot, Assistant Attorney General, Minnesota Attorney General's Office,
counsel for Defendants.

This matter is before the Court upon Plaintiff Nico Redding's ("Plaintiff") objections to Chief United States Magistrate Judge Raymond L. Erickson's Report and Recommendation dated February 6, 2008, recommending that the Motion of the Defendants to Dismiss be granted in all respects except for the Plaintiff's claim that the Defendants Officer Peine and Jan Hanlon denied him equal protection as to his bookshelf, medical accommodations, and discipline, and that Defendants Warden Stender, CPD J. Carter, Nanette Larson, Warden Roehrich, and Lt. Krogh failed to properly

supervise and control Officer Peine and Jan Hanlon in this respect, which should be allowed to proceed.

The Court has conducted a *de novo* review of the record, including a review of the objections and submissions of Plaintiff, along with the submissions of opposing counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the 38-page Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, including the specific objections of the Plaintiff, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Nico Redding's objections (Doc. No. 45) to Chief United States Magistrate Judge Raymond L. Erickson's Report and Recommendation dated February 6, 2008, are **DENIED**.

2. Chief United States Magistrate Judge Raymond L. Erickson's Report and Recommendation dated February 6, 2008 (Doc. No. 44), is **ADOPTED**.

3. The Motion of the Defendants to Dismiss (Doc. No. 9) is **GRANTED** in all respects except for the Plaintiff's claim that Defendants Officer Peine, and Jan Hanlon, denied him equal protection as to his bookshelf, medical accommodations, and discipline, and that Defendants Warden Stender, CPD J. Carter, Nanette Larson, Warden Roehrich,

and Lt. Krogh failed to properly supervise and control Officer Peine and Jan Hanlon in this respect, which are allowed to proceed.

Dated: March 19, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court